

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

ROBERT N. SMITHBACK,

Plaintiff,

v.

STATE OF TEXAS, et al.,

Defendants.

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Civil Action No. 3:05-0578-M

**ORDER ACCEPTING FINDINGS, CONCLUSIONS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE AND DENYING
TEMPORARY RESTRAINING ORDER**

After making an independent review of the pleadings, files and records in this case, and the Findings and Recommendation of the United States Magistrate Judge dated April 5, 2005, the Court finds that the Findings and Recommendation of the Magistrate Judge are correct and they are accepted as the Findings and Recommendation of the Court.

IT IS, THEREFORE, ORDERED that the Findings and Recommendation of the United States Magistrate Judge are accepted and the application for a temporary restraining order is **DENIED**.

SO ORDERED this 28th day of April, 2005.



Barbara M. G. Lynn
UNITED STATES DISTRICT JUDGE